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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,649	08/07/2003	Koci Hatade	60188-629	8814

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EXAMINER

PHAM, VAN T

ART UNIT	PAPER NUMBER
2627	

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,649

Applicant(s)

HATADE ET AL.

Examiner

VAN T. PHAM

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Uchizaki et al (US 6,728,193).

Regarding claim 1, Uchizaki discloses an object lens for an optical pickup (Figs. 1, 10), said object lens being of finite conjugate type for use in an optical pickup capable of recording data in and reproducing data from a first optical recording medium and a second optical recording medium respectively having recording faces at different heights by irradiating said first optical recording medium and said second optical recording medium with a laser beam through said object lens (see Figs. 1, 10, elements 108-109), said optical pickup including a semiconductor laser diode array having light emitting portions for respectively emitting laser beams of different wavelengths (see Figs. 1, 10, elements 101, 102, 111 and cols. 1-2) and said object lens being designed to have numerical aperture controlled to be changed in accordance with switching between said different wavelengths, whereby allowing said laser beam to be focused on said first optical recording medium or said second optical recording medium (see cols. 1-2).

Regarding claim 2, see Figs. 1, 8-10, discloses the object lens of claim 1, wherein a relative positional relationship between said object lens and said semiconductor laser diode array is fixed (inherently).

Regarding claim 3, see col. 4, lines 35-44 and col. Col. 9, lines 45-53), discloses the object lens of claim 1, wherein a distance between said light emitting portions of said semiconductor laser diode array is 270 μm or less.

Regarding claim 4, see Figs. 1, 10, discloses the object lens of claim 1, wherein change of the numerical aperture of said object lens is controlled in accordance with the switching between said different wavelengths in such a manner that, in the case where a laser beam of a wavelength suitable to said first optical recording medium is allowed to pass through said object lens for irradiating said first optical recording medium, portions of said laser beam respectively passing through a circular center region including a lens optical axis and a ring-shaped intermediate region around said center region are focused on the recording face of said first optical recording medium, and that in the case where a laser beam of another wavelength suitable to said second optical recording medium is allowed to pass through said object lens for irradiating said second optical recording medium, portions of said laser beam respectively passing through said center region and a ring-shaped peripheral region around said intermediate region are focused on the recording face of said second optical recording medium (see cols.1-4).

Regarding claim 5, see Figs. 1, 10, discloses the object lens of claim 4, wherein said center region and said intermediate region are defined by an identical lens function.

Regarding claim 6, see rejection above of claim 1.

Cited References

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to an optical pickup device includes a double –source built-in semiconductor laser for emitting light of a first wavelength and a light of a second wavelength, and an optical pickup apparatus, laser light sources emit a first light beam having having a relatively shorter wavelength for the DVD and a second light beam having a longer wavelength for the CD.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN T. PHAM whose telephone number is 571-272-7590. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP


WAYNE YOUNG
SUPERVISORY PATENT EXAMINER